

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Zev Carter	Team: Squad #3	CCRB Case #: 201905660	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 06/26/2019 7:50 PM	Location of Incident: In front of 845 Bedford Avenue	Precinct: 79	18 Mo. SOL 12/26/2020	EO SOL 8/12/2021	
Date/Time CV Reported Fri, 06/28/2019 8:37 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 06/28/2019 8:37 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Sajjad Kiani	10350	956021	079 PCT
2. POM Kamron Chase	11421	961683	079 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Sajjad Kiani	Abuse: Police Officer Sajjad Kiani seized § 87(2)(b) s property.	
B.POM Sajjad Kiani	Abuse: Police Officer Sajjad Kiani threatened to arrest § 87(2)(b)	
§ 87(2)(g), § 87(4-b)		

## Case Summary

On June 28, 2019, § 87(2)(b) filed this complaint with the CCRB over the phone.

On June 26, 2019, at approximately 8:00 p.m., in front of 845 Bedford Avenue in Brooklyn, § 87(2)(b) was stopped for a traffic violation by Police Officer Sajjad Kiani of the 79<sup>th</sup> Precinct. During the stop, PO Kiani seized § 87(2)(b)'s property (**Allegation A: Abuse of Authority, § 87(2)(g)**). After the stop, PO Kiani threatened to arrest § 87(2)(b) (**Allegation B: Abuse of Authority, § 87(2)(g)**). § 87(2)(b) was issued summons #§ 87(2)(b) for § 87(2)(b) (17 Board Review), § 87(2)(g), § 87(4-b).

This case contains BWC footage from PO Kiani (**01 Board Review**) and cell phone footage from § 87(2)(b) (**02, 03 Board Review**).

## Findings and Recommendations

**Allegation (A) Abuse of Authority: Police Officer Sajjad Kiani seized § 87(2)(b)'s property.**

It is undisputed that that on June 26, 2019, at approximately 8:00 p.m., § 87(2)(b) was driving in his car on Bedford Avenue in Brooklyn (**04 Board Review**). § 87(2)(b)'s girlfriend, § 87(2)(b) was riding in the passenger's seat. § 87(2)(b) was pulled over by PO Kiani and PO Chase for allegedly using a cell phone while operating his vehicle. PO Kiani requested § 87(2)(b)'s driver's license and registration, and § 87(2)(b) provided it.

In his verified statement to the CCRB, § 87(2)(b) stated that he stores his vehicle registration, an 8.5" x 11" piece of paper folded in half, in his glove compartment (**04 Board Review**). § 87(2)(b) stated that when PO Kiani returned from his police vehicle, he handed § 87(2)(b) a summons wrapped tightly around his driver's license without his registration. § 87(2)(b) maintained that PO Kiani would not have been able to wrap the summons tightly around his license because his registration was far wider than the license. § 87(2)(b) realized after PO Kiani and PO Chase drove off that PO Kiani had not returned his registration. The next day, § 87(2)(b) went to the New Jersey Department of Motor Vehicles and bought a new registration.

§ 87(2)(g)  
§ 87(2)(b) did not recall whether PO Kiani gave the license and registration back at the same time.

PO Kiani stated that he witnessed § 87(2)(b) using a cell phone and stopped his car shortly thereafter (**06 Board Review**). PO Kiani requested § 87(2)(b)'s driver's license, insurance, and registration, and § 87(2)(b) provided them. The registration was a piece of paper with approximately 2" x 3" dimensions. After bringing § 87(2)(b)'s documentation to his police vehicle, PO Kiani prepared a summons and performed warrant audit checks with PO Chase.

PO Chase did not recall whether he witnessed § 87(2)(b)'s alleged infraction (**07 Board Review**). PO Chase approached § 87(2)(b)'s vehicle on the passenger's side and had no interactions with the occupants. After PO Kiani received § 87(2)(b)'s license and registration, both officers returned to their patrol car. PO Chase stated that he never had § 87(2)(b)'s driver's license in his possession. PO Kiani did return the registration to § 87(2)(b).

Both officers stated that § 87(2)(b)'s license, registration, and summons were wrapped together and handed back to § 87(2)(b).

A photograph of § 87(2)(b)'s new registration is in (**08 Board Review**). The receipt for his new registration is located in **09 Board Review**. **10 Board Review** contains a comparison of the sizes of § 87(2)(b)'s driver's license and vehicle registration.

PO Kiani's BWC footage is located in **01 Board Review**. From 0:45 to 1:17, § 87(2)(b) gives PO Kiani his documentation. His registration (a folded white piece of paper) is clearly visible. From 8:10 to 8:40, PO Kiani finishes preparing the summons and folds it to match the size of the driver's license. He then gives what appears to be the same two objects back to § 87(2)(b) without the registration. The video does not depict what, if anything, happens to the registration document.

The Fourth Amendment of the United States Constitution states that the right of the people to be secure in their persons, papers, and effects against unreasonable searches and seizures shall not be violated. (USCS Const. Amend. 4) (**19 Board Review**)

§ 87(2)(g)  
[REDACTED]

§ 87(2)(g)  
[REDACTED]

**Allegation (B) Abuse of Authority: Police Officer Sajjad Kiani threatened to arrest** § 87(2)(b)

[REDACTED]

§ 87(2)(b) stated that after the car stop, PO Kiani drove the vehicle next to § 87(2)(b)'s stationary car (**04 Board Review**). PO Kiani told § 87(2)(b) "You're going to go to jail," and then drove away.

§ 87(2)(b) stated that when PO Kiani drove his vehicle beside § 87(2)(b)'s, he called § 87(2)(b) a "criminal." PO Kiani also said that he "hope[d]" something "got suspended," or

something to the effect of “license suspended” (**05 Board Review**). All the while, § 87(2)(b) was repeatedly calling PO Kiani a liar.

§ 87(2)(b)'s cell phone footage in **03 Board Review** captures the period of time where this allegation was said to occur from 2:34 to 2:50 in the recording. The video captures PO Kiani pulling into the roadway from behind § 87(2)(b) and then slowing to a stop next to § 87(2)(b)'s vehicle to speak to him. § 87(2)(b)'s diatribe against PO Kiani makes it largely impossible to make out PO Kiani's words.

PO Kiani initially volunteered two times that he had no additional interactions with § 87(2)(b) after issuing the summons, saying that there was “no reason to argue” (**06 Board Review**). After being shown § 87(2)(b)'s cell phone footage, PO Kiani stated that he continued to interact with § 87(2)(b) because he thought § 87(2)(b) probably wanted to speak more with him. PO Kiani stated that he was telling § 87(2)(b) that he could dispute the summons in court during this clip.

PO Chase stated that as the officers were driving away, § 87(2)(b) stuck his hand out of his car window and moved it around (**07 Board Review**). Assuming that § 87(2)(b) needed more information, PO Kiani and PO Chase engaged with him again. § 87(2)(b) continued to yell and curse. PO Chase could not recall the contents of § 87(2)(b) and PO Kiani's interactions.

Both PO Kiani and PO Chase denied that PO Kiani told § 87(2)(b) that he was going to be arrested.

§ 87(2)(g)  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

§ 87(2)(g), § 87(4-b)  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

§ 87(2)(g), § 87(4-b)

[REDACTED]

[REDACTED]

[REDACTED]

#### Civilian and Officer CCRB Histories

- § 87(2)(b) [REDACTED] has been party to four CCRB complaints and has been named as a victim in 18 other allegations (**14 Board Review**).
  - § 87(2)(b) [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
- PO Kiani has been a member of service for five years and this is the first CCRB complaint to which he has been a subject.
- PO Chase has been a member of service for three years and this is the first CCRB complaint to which he has been a subject.

#### Mediation, Civil and Criminal Histories

- This case was unsuitable for mediation.
- As of October 2, 2019, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this incident (**15 Board Review**).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)] [REDACTED]

Squad No.: \_\_\_\_\_

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date